## Moody, Jonathan

From: Donohue, Dennis <DDonohue@wnj.com>
Sent: Thursday, August 22, 2013 3:16 PM

To: Cantello, Nicole

**Cc:** Maraldo, Dean; Moody, Jonathan

Subject: Re: Eagle Mine LLC HTDF Sampling Data and Related Information

Attachments: T13H002 Radioactivity.pdf; HTDF SW Analysis 8 16 13-Table2.pdf; Daily VM Notes 8-15

through 8-20-13.pdf; Discharge\_Photos\_Small.zip

## Nicole:

Enclosed are the radionuclide data from the July 2013 HTDF discharge monitoring event at the Humboldt Mill site conducted pursuant to Item #9 of the CWA Section 308(a) Information Request issued to Eagle Mine LLC on July 2, 2013. The results are compiled in the attached table and the analytical data package is also provided. Neither Michigan nor the US EPA have promulgated numeric surface water quality criteria for these radionuclides so we have provided a column in the attached table with applicable MCLs for reference purposes. These data, along with the water quality data previously submitted to you in my 8/16 e-mail, satisfies the HTDF discharge sampling requirement specified in Item #9 of the 308(a) request.

I am also forwarding to you some photos and field notes documenting daily visual monitoring of a "stilled" sample of the HTDF discharge. Although not prescribed in the SW permits applicable to the HTDF discharge under current site construction/rehab operations, Eagle staff commenced this activity to address concerns expressed by the US EPA at the 8/14 meeting and to further document/confirm the quality of the discharge.

As agreed at the meeting last week, Eagle Mine LLC has suspended commencement of the weekly monitoring specified under Item #10 of the 308(a) request pending EPA's review of the HTDF discharge data submitted over the last week. We are hopeful that the EPA will consider providing some relief on the weekly monitoring requirement specified in Item #10 following its review of these data and consideration of other pertinent data (including historical data generated during Callahan's operation of the HTDF) which document the HTDF discharge to be of good and consistent quality.

Don't hesitate to call with any questions. Also, as we discussed last week, Jonathan and/or Dean should feel free to communicate with Kristin directly if they have any questions.

Thanks,



Dennis J. Donohue | Partner Warner Norcross & Judd LLP

900 Fifth Third Center | 111 Lyon Street NW | Grand Rapids, MI 49503-2487 p 616.752.2192 | m 616.901.8421 | f 616.222.2192

ddonohue@wnj.com | Profile | V-Card

Notice: This e-mail message and any attachments are for the confidential use of the intended recipient. If that isn't you, please do not read the message or attachments, or distribute or act in reliance on them. If you have received this message by mistake, please immediately notify us and delete this message and any attachments. Thank you.

This Email message contained an attachment named image001.jpg

which may be a computer program. This attached computer program could contain a computer virus which could cause harm to EPA's computers, network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced into the EPA network. EPA is deleting all computer program attachments sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*